

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

Case No. 12-35634-KRH

Sara Davis Harman
3216 Mountain Road
Glen Allen, VA 23060
SSN / ITIN: xxx-xx-0468
aka Sara G. Davis
aka Sara D. Harman
aka Sara Harman Davis
aka Harman Sara Davis
Debtor(s).

Chapter 13

NOTICE OF MOTION AND HEARING

Come now, Debtor(s), by counsel, having filed a Motion to Extend the Automatic Stay.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one.

NOTICE IS HEREBY GIVEN THAT A HEARING ON THIS MOTION WILL BE HELD AT THE UNITED STATES BANKRUPTCY COURT, U.S. COURTHOUSE, 701 EAST BROAD STREET, COURTROOM 5000, RICHMOND, VIRGINIA, 23219, ON OCTOBER 29, 2012 AT 10:00 A.M.

If you want to be heard on this matter, then on or before three (3) days from the date of the hearing, you or your attorney must:

1. File with the court, at the address below, a written response pursuant to Local Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, VA 23219

KIMBERLY A. CHANDLER, VSB# 47897
RICHARD C. PECORARO, VSB# 48650
CHANDLER PECORARO, PLC
P.O. Box 17586
Richmond, VA 23226
Office: (804) 545-0737
Fax: (480)393-5764

Counsel for Debtors

2. You must also mail a copy to:

CHANDLER PECORARO, PLC
P.O. Box 17586
Richmond, VA 23226

3. Attend the hearing scheduled above.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting the requested relief.

Respectfully submitted,

Raymond W. Clark
By Counsel

By: /s/ Richard C. Pecoraro
Counsel for Debtor

CERTIFICATE OF SERVICE

I certify that on October 9, 2012, a copy of this Notice of Motion and Hearing has been mailed electronically or via first class mail to the Chapter 13 Trustee, the United States Trustee and all creditors as set forth on the attached mailing matrix.

/s/ Richard C. Pecoraro
Counsel for Debtor

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:

Case No. 12-35634-KRH

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SSN / ITIN: xxx-xx-0468
aka Sara G. Davis
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aka Harman Sara Davis
Debtor(s).

Chapter 13

MOTION TO EXTEND THE AUTOMATIC STAY

COMES NOW, Sara Davis Harman (the “Debtor”), by counsel, pursuant to 11 U.S.C. § 362(c)(3)(B), file the following Motion to Extend the Automatic Stay, and affirmatively state as follows:

Jurisdiction

1. Jurisdiction of this Court over the instant matter is based upon 28 U.S.C. §§1334 and 157 in that this action arises in and relates to the bankruptcy case of the Debtor(s), a Chapter 13 case having been filed in this Court on September 28, 2012 (hereinafter the “Petition Date”).
2. This proceeding is a core proceeding under 28 U.S.C. §157(b)(2)(A) and (G).
3. Venue is proper pursuant to 28 U.S.C. §1409.

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Richmond, VA 23226
Office: (804) 545-0737
Fax: (480)393-5764
Counsel for Debtors

Background Facts

4. On September 28, 2012, the Debtor filed in this Court a petition for relief (the “Instant Case”) under Chapter 13 of the Bankruptcy Code, 11 U.S.C. 101, et seq.

5. Robert E. Hyman was appointed to serve as Chapter 13 Trustee in this case (the “Trustee”).

6. The Debtor has filed (2) prior bankruptcy cases in this Court: 1) Chapter 13 bankruptcy (Case No. **10-35299**) filed in this Court on July 30, 2010, and dismissed on May 5, 2011; 2) Chapter 13 bankruptcy (Case No. **11-33536**) filed in this Court on May 26, 2011, and dismissed on September 28, 2012 (the “Previous Case”).

7. During the pendency of the Previous Case, Debtor lost her job and was unable to maintain her Ch. 13 plan payments on the limited help from family members, causing the case to be dismissed.

Facts of the Instant Case

8. In the Instant Case, the Debtor proposes a Chapter 13 Plan (the “Plan”) that commits all of her disposable income for 60 months, which would equal a minimum dividend to non-priority unsecured creditors of two percent (2%).

9. Debtor is now employed by the County of Henrico and making consistent income. She will continue to receive support payments as well as help from family if necessary.

10. Debtor believes this positive change in circumstance will allow her to maintain a Ch. 13 plan.

11. Thus the Court should find the Instant Case has been filed in good faith and enter an Order extending the automatic stay as to all creditors, as to the Debtor and her property, and as to the property of the estate for the duration of the Instant Case.

WHEREFORE, the Debtor respectfully requests that this Honorable Court 1) enter an Order extending the automatic stay as to all creditors, as to the Debtor and her property, and as to the property of the estate for the duration of the Instant Case, and for such other and further relief the Court deems appropriate.

Respectfully submitted,
Sara Davis Harman

By Counsel

By: /s/ Richard C. Pecoraro
Richard C. Pecoraro

CERTIFICATE OF SERVICE

I certify that on October 9, 2012, a copy of the foregoing was mailed electronically or via first class mail, postage prepaid, to the Standing Chapter 13 Trustee, the United States Trustee, and all creditors as set forth on the attached mailing matrix.

/s/ Richard C. Pecoraro
Counsel for Debtor

Label Matrix for local noticing

United States Bankruptcy Court

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0422-3

701 East Broad Street

28405 Van Dyke Ave

Case 12-35634-KRH

Richmond, VA 23219-1888

Warren, MI 48093-7132

Eastern District of Virginia

Richmond

Mon Oct 8 09:17:49 EDT 2012

Affiliated Acceptance Corp.

American Express*

Asset Acceptance Corp.

PO Box 790001

Attn: Customer Service

PO Box 2036

Sunrise Beach, MO 65079-9001

PO Box 981535

Warren, MI 48090-2036

El Paso, TX 79998-1535

Asset Acceptance LLC

Bank of America*

Bayview Loan Servicing, LLC

28405 Van Dyke Avenue

PO Box 15026

4425 Ponce De Leon Blvd.

Warren, MI 48093-7132

Wilmington, DE 19850-5026

5th Floor

Miami, FL 33146-1837

CACH, LLC*

Capital One *

Chase

4340 S. Monaco Street

Attn: Document Mgmt.

201 N. Walnut Street

Unit 2

P.O. Box 85167

Wilmington, DE 19801-2920

Denver, CO 80237-3408

Richmond, VA 23285-5167

Citimortgage

(p)DISCOVER FINANCIAL SERVICES LLC

Ethan Allen

P.O. Box 6006

PO BOX 3025

12000 West Broad Street

The Lakes, NV 88901-6006

NEW ALBANY OH 43054-3025

Henrico, VA 23233-7689

FIA Card Services*

HSBC Bank

Internal Revenue Service *

PO Box 15026

PO Box 5253

PO Box 7346

Wilmington, DE 19886-5726

Carol Stream, IL 60197-5253

Philadelphia, PA 19101-7346

Medical Payment Data

Metris Companies

Percy E. Pickral, Jr.

P.O. Box 9500

4848 S. 129th Ave

4122 East Parham Road

Wilkes Barre, PA 18773-9500

Tulsa, OK 74134-7001

Henrico, VA 23228-2749

Receivables Management Systems

Robert W. Harman

Sallie Mae, Inc.*

7206 Hull Street Road

3216 Mountain Road

Attn: Bankruptcy Dept

Ste 21

Glen Allen, VA 23060-2005

PO Box 9500

Richmond, VA 23235-5827

Wilkes Barre, PA 18773-9500

Sears *

Shell *

Specialized Inc., of Virginia

Billing Disputes

Gasoline Card Center

722 E Market Street

P.O. Box 6282

P.O. Box 689151

Suite 200

Sioux Falls, SD 57117-6282

Des Moines, IA 50368-9151

Leesburg, VA 20176-4475

SunTrust Bank

Suntrust Bank

U.S. Attorney's Office

Attn: Support Services

P.O. Box 85160

600 E. Main Street, 18th Floor

P.O. Box 85092

Richmond, VA 23285-5160

Richmond, VA 23219-2430

Richmond, VA 23286-0001

(p)US BANK
PO BOX 5229
CINCINNATI OH 45201-5229

United Recovery Systems
5800 North Course Drive
Houston, TX 77072-1613

VA Dept of Taxation
P.O. Box 2156
Richmond, VA 23218-2156

eCAST Settlement Corporation SUCCESSOR to FI
Services aka Bank of America
POB 29262
New York NY 10087-9262

eCAST Settlement Corporation assignee of Cha
Bank USA NA
POB 29262
New York NY 10087-9262

Richard C. Pecoraro
Chandler Pecoraro, PLC
P.O. Box 17586
Richmond, VA 23226-7586

Robert E. Hyman
P.O. Box 1780
Richmond, VA 23218-1780

Sara Davis Harman
3216 Mountain Road
Glen Allen, VA 23060-2005

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Discover Card*
P.O. Box 30943
Salt Lake City, UT 84130-0000

US Bank
US Bancorp Center
800 Nicollet Mall
Minneapolis, MN 55402-0000

End of Label Matrix	
Mailable recipients	37
Bypassed recipients	0
Total	37